

A  
HISTORY  
OF THE  
CLEMENCY  
OF OUR  
*ENGLISH* Monarchs,  
FROM THE  
REFORMATION, down to  
the Present Time.  
With some COMPARISONS.



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HISTORY

OF THE

CLEMENCY

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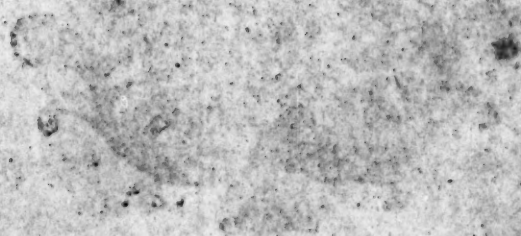
ENGLISH MONARCHS

FROM THE

REFORMATION

TO THE PRESENT TIME

AND THE DEATH OF CHARLES THE FIRST



LONDON:

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at the Sign of the Crown, in Pall Mall.



# A HISTORY OF Clemency, &c.

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**C**LEMENCY is the Glory of a  
 Throne, the brightest Part of  
 Majesty, and renders a Prince  
 more God-like than any other  
 \*\*\*\*\*  
 Vertue, at least, than any that  
 is in His Power to Exercise.

Even in the Time of the *Israelitish* Mo-  
 narchy, it was the Fame of those Kings  
 who were of God's immediate Establish-  
 ment, that they *were merciful Kings*; and  
 ever since the planting the Christian Reli-  
 gion in the World, it has been the peculiar  
 Honour of all Christian Princes, to be *Cle-*  
*ment* and *Compassionate*: Nay, to the Ho-  
 nour of the Reformation, it will, I believe,  
 be an uncontested Truth, as long as the



Protestant Reformation has a Being in the World, That the more Reform'd any Prince is, the more truly Religious, and personally Pious any Prince is, the more *merciful* and *compassionate* he is always found.

The Christian Religion teaches and instills into the Soul, not only of Princes, but of whole Nations, CLEMENCY and *Compassion* in all Cases, where proper Objects of such Principles present themselves.

And not to be partial to our selves, I believe also, that it may, without boasting, be justly said of the *English Nation*, That they have been always esteem'd, even in their natural Disposition, a *merciful*, *generous*, and *compassionate* Nation; *merciful* to those who are expos'd to Punishment by their Laws; *generous* to an Enemy, and *compassionate* to the Miserable; even the Constitution of *England* is a *merciful Constitution*, and testifies abundantly for the Disposition of our People, in all that is now advanced, (*viz.*) That they are a *merciful People*. No Tortures to force Confession whether guilty or not; no cruel Executions; no lingering Deaths are practis'd here, or allow'd by our Laws.

The Reformation has this Honour peculiar to its self; all Racks, Tortures, cruel and languishing Deaths, as if peculiar to Popery, were extinguish'd at the Reformation; and this Queen *Mary the Bloody*, as she was righteously call'd, allow'd those things to be practis'd



ctis'd again by the Popish Priests, in their Persecution of poor Protestants : Yet it is observable from the History of those Times, that even then the People of *England* took no Pleasure in them, but abhorr'd the bloody Proceedings of the Popish Clergy : Nay, the very Papists themselves, the *Laitie* I mean, did not like it, much less did they delight in it ; and that Aversion to Cruelty among the People, made the Reformation take Place in this Kingdom the more early, in the glorious Reign of her Successor.

When Queen *Elizabeth* came to the Crown, tho' a Spice of Cruelty in the Constitution might remain, by the remaining of old Popish Laws, yet we find, on the Complaint made to her of the cruel Execution of the *Jesuits*, where *she* was heard to pronounce the Name of *Jesu* three times, after the Executioner had begun to Quarter him, *Her Majesty* gave positive Orders that no such thing should be done again ; and that they should, in case of Quartering the Bodies, let them Hang till they were quite dead.

Common Fame reports, that it was in her Time also, that the Hanging in Chains alive was forbidden by the personal Clemency of the Queen ; but as History does not confirm that any such Execution was at all practis'd in *England*, I will not determine that Point.

From the Mercy shewn in the Execution of condemn'd Malefactors, I come to mention next that of sparing and pardoning Criminals, a peculiar Act of Clemency in our Princes, and in which it will appear, that our *English* Monarchs have, on many Occasions, given such Proofs of Royal Clemency inherent in them, and even peculiar to them as *English*, that perhaps few Nations can boast of the like.

*Henry VIII*, the last of the Popish Kings, and his Daughter Queen *Mary*, the last of Popish Governours, cruel and inexorable, stand as Witnesses of the Distinction I have made between the Tendency to Clemency and Mercy, which the Reformation naturally carried along with it, two Instances of this are recorded of them, which are peculiarly to the Case, besides many others I could collect. *First*, When *John Lambert*, a glorious Martyr, suffer'd for the Reformation, and was brought to a Hearing before the King, surrounded with his Clergy in *St. Paul's Church*, when he had with inexpressible Courage; Strength of Reason, and Force of Scripture, baffled, tho' not silenc'd the Priest that opposed him, then with a moving Eloquence, in such a modest and handsome Manner, as drew Tears from the Eyes even of his Enemies, turning his Speech to the King, he cast himself upon the Justice and Clemency of his Majesty; the inexorable Tyrant turning from him, (and meerly to gratifie the Clergy)

Clergy, gave him this barbarous Answer, *Nay, Man, if thou leavest thy self to me, thou must Die.* The next Example is of Queen Mary, in the Case of Arch-bishop *Cranmer*, who, after her Priests had prevail'd upon the Weakness and Fear of the good old Bishop to Recant, and to sign his Recantation, in which Case, almost any other of the Martyrs might have had their Lives; yet the merciless Queen remembring what he had done in the Matter of her Mother's Divorce, determin'd him to the Stake without Mercy, there having been no Crime laid to his Charge but Religion; which after his said Recantation, could not be counted any Crime, nor would she hear any Intercession for him. And for the rest of that Queen's bloody Reign, it is Recorded by our best Historians, That even King *Philip*, tho' a *Spaniard* by Birth, and King of *Spain*, a Nation and a Government noted for Cruelty, and tho' a *Spanish* Papist, yet was much more mercifully inclin'd than his Queen, who had it not been for him, would certainly have put to Death her own Sister.

But it not only is to be said, that since the Reformation, not only no such Instances of Cruelty are to be found, but even the general Disposition to Cruelty, which the Monarchs of the former times frequently shew'd, wore off gradually, and the Protestant Kings of this Nation, even from the Beginning of

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the Reformation, have been always merciful Kings.

To give some few Instances of the native Clemency of the *English* Monarchs, I begin with King *Edward VI.* the Clemency and Goodness of whose Disposition was such, that he would always shed Tears when he signed a Warrant for the Execution, even of common Criminals; and with what Difficulty he was brought to sign the Execution of a certain Woman condemn'd for Heretical, as was then thought, blasphemous Principles, Bishop *Burnet*, in his *History of the Reformation*, gives us a very full and particular Account: In the Beginning of his Reign, there were great Commotions about Religion, and Two notorious Rebellions, (*viz.*) One in *Devonshire*, where the City of *Exeter* was greatly distress'd by the Rebels; and the other in *Norfolk*, where the Rebels, to the Number of 30000, took and possess'd the City of *Normich*, and committed horrid Cruelties.

The merciful Prince, a Man in Judgment, tho' a Youth in Person, shew'd the Compassion of a true Father of his Country, even to those Rebels, expostulating with them in his publick Declaration, and inviting them to be satisfy'd, and submit to the Laws and Government of their Country: And tho' he behav'd equally Magisterial in assuring them of severe Punishment if they proceeded in their Rebellion, yet he first did all that was pos-

possible to prevent their precipitating themselves into Ruin and Destruction: And at last, after they were overcome in Battle, and when to deter others, needful Examples were made of those most guilty; the Clement and Pious King inclin'd to Compassion, freely let go Thousands that had most insolently provok'd and abus'd him.

The Clemency of Queen *Elizabeth* is, in many Instances, so remarkable, that it scarce can require any Inlargement; and tho' by the continued Plots of the Papists against her Life, the Rebellion and Perjury of the *Irish*; and oftentimes of her own Subjects; she was oblig'd to make many Examples of her Justice, (*for Clemency by no Means excludes the necessary Execution of Justice*) yet the Number of Criminals Pardoned in her Reign, and that after frequent Abuses of her Clemency, give her most justly the Title, of a Queen of most exemplary and admir'd Benignity and Clemency.

The pacifick Reign of King *James I.* testified to the whole World the Benignity of his Disposition, and that he was by his very Temper inclin'd to Acts of Clemency and Mercy, as appears on many Occasions thro' his whole Reign; in some of which, he even suffer'd the Reproaches of his People, for being deficient in Justice: For I lay it down as a Maxim in Government, that Clemency in Princes is not a Stop of the Execution of the Law, for that would be to destroy Government,

verment, not uphold it ; but it is a compassionate Mitigation of the Extremities of Justice, when Men by exorbitant Offences subject themselves in an extraordinary Number to the Sword of Justice, and when the Prince being more than usually provok'd, yet acting with the truly noble and God-like Principles of Pity and Compassion, lays aside his Anger, justly stirr'd up to destroy, and with a Paternal Pity spares his offending Subjects, as a Father spares the Son that serves him. In this, both Queen *Elizabeth* and King *James* gave Testimony of a Disposition to Mercy, even to an Extreme, which they were blam'd for : The former in the Case of her *Irish* Rebels, who indeed she was so easy to forgive, upon the least Appearance of Repentance, and of returning to their Duty, that she was grossly impos'd upon by feign'd Submissions, and a Countenance of Loyalty, without the Intention of it. The like may be said of King *James*, who too early ceas'd the Prosecution of the Abettors to the *Popish* Plot, and spared the Murderers of Sir *Thomas Overbury* ; and even at last, brought himself into Contempt both abroad and at home, as a pusillanimous and cowardly Prince, merely from the Abhorrence he had in his Disposition to the shedding the Blood of his Subjects.

King *Charles I.* the Successor of this King, lost both his Crown and Life by the mistaken



mistaken Clemency and Easiness of his Disposition, giving even the Sword of Government out of his Hands, and putting the just Power of the Crown into the Hands of his treacherous Subjects, on the meer Pretence of its being for his Peoples Good, till his Desire for the good of his People, made him perfectly to neglect his own good, and the Safety and Peace of his Posterity ; and till that very People who drew him into the Snare, and importun'd him to those Concessions, on the Pretence of the Publick Good, play'd upon the Goodness of their Prince, and abusing his Benificence, made it be a Part of his just Character, *That he both granted too much, and denied too much*, till at last, having granted so much that he had no Power to deny, the ungrateful Craver destroy'd him by his own Clemency.

His Son King *Charles II.* succeeding, enter'd his Reign with a general Act of Grace, extended to all the Fragments of the most irreconcilable Enemies of his Crown, the natural Clemency of his Temper disposing him to cancel all his Resentments, and to forgive the Agents of the most violent Rebellion that ever was rais'd against the Sovereign in these Nations : His long, pleasant, and peaceable Reign, and his Disposition to generous and compassionate things, had so inur'd the People to an easie Government, and a very slack-handed Administration, that they were rather too impatient when a streighter Hand began to guide them, and

cried out of Tyranny upon the first Oppressions, and that even before some Folks thought they ought to have complain'd.

Whoever being discontented at some Transactions of this King's Reign, might reproach it with some Hardships and Violencies towards the latter End of his Time; yet all allow the King himself to be no Man of Blood, and as far as he acted his own Inclination, nothing but Clemency and Mercy was practis'd, even in some of the most urging and provoking Cases; his Disposition was all Clemency and Compassion, and if at any time he was over-ruled to act otherwise, he was so far acted by others, and not left free to the Agency of his own Disposition.

The Course of History brings us to King *James*, and here *Poper*y intervenes, wherein bloody Principles return'd, and by Consequence bloody Practices; and if those times had continued, we might, for ought I see, have return'd to the Barbarisms and Cruelties of *Poper*y; and for this Reason, I make this Reign an Exception to the Case before us.

As to the two past Reigns, (*viz.*) of King *William* and Queen *Anne*, I think it needs not that I should bring them into the Account which I collect from the History of Ages past; the Memory of every Reader being able to supply the Story, and to enumerate the Particulars, and to confirm the Proposition, (*viz.*) That Clemency and Mercy have been inherent in the *English* Monarchs,

narchs; and the Kings of *Israel* have been merciful Kings.

It remains to bring this down to the present Times, and enquire whether this inherent Principle of Clemency is continued or abated, and whether the Disposition to Mercy, which our Monarchs have been so much distinguish'd by, has forsaken the Throne, Yea, or No.

In the midst of the Variety of Complainers which the present time is fill'd with, this Enquiry is unquestionably seasonable, seeing some tell us, on one hand, That the Maxims of Government are broke, and the Sinews of Justice weaken'd, by the too great Extent of the Royal Mercy, that Rebels are pardon'd before they ask it, and consequently before they deserve it; and that as they receive it unthankfully, so they will use it unworthily, and the Publick Peace be thereby depriv'd and defeated of the End of the Royal Clemency, which is the reclaiming of Rebels, and restoring penitent Subjects to a State, in which they may have an Opportunity to shew the Sincerity of their Repentance.

On the other hand, we have some who complain, (and that something publicly and boldly too) of the very Act of Clemency by which they themselves are pardon'd; and particularly of the Delay of it; the Restrictions and Exceptions in it; That it forgives but Few; excludes those who have most Need



*Need of it; has been delay'd so long, till those that are pardon'd are first ruin'd and made desperate: The Nature of an Act of Grace is destroy'd in it, and the pretended Clemency of it expos'd. I speak herein their own Words, which I crave may be allowed me as a Quotation.*

The Sum of the present Discourse then is, to enquire into the Reasonableness of these Complaints, and see at last whether it be true or not which some alledge, That King GEORGE has out-done in Clemency and Paternal Compassion, all the British or English Monarchs that ever went before him; Or, whether the Complaint of the Narrowness and Delay of his Mercy, &c. are just?

In pursuing a Discourse so nice, and liable to so many Objections, it is necessary to enquire into the ancient Usage of Princes in former times, when their Subjects, by Tumults and Rebellions, have provok'd their Justice, and fallen under the Power of their Arms. *The first thing I meet with here, I mean that is objected against the present Case, is, That in Cases of Rebellion, it has been usual by Proclamation, and by Heralds, to give Notice of it; to send the Rebels first a Summons to lay down their Arms, with Promise of Pardon to all such as shall immediately, or by such and such limited Time, or Number of Days, quit the Rebels, and retire peaceably to their Habitations. This, they say, was not offer'd here, the mistaken delu-*  
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ded People were made desperate from the Beginning, and had no Room given them to retrieve the Mistake in time, or to come off after they had perhaps seen their Error : But being once engag'd, they were made desperate, and having drawn their Sword, were obliged to throw away the Scabbord, and go on till it was too late to think of Mercy.

This Argument, tho' the most easie to be answered, and that more fully than any other, yet has been carried such a length, as to support a great many other Objections, and yet has obtain'd, with some People, the Name of Unanswerable. I shall confute and overthrow it in few Words, by a bare History of Fact ; in which I shall prove, that this Tender of Mercy, made formerly in Form, and by Proclamation, as is said, is now, by the Usage of things, made absolutely needless ; that the Substance and End of it is, and has been preserv'd and practis'd, even in this late Rebellion, beyond what ever was done before.

That it was sometimes practis'd in former Reigns, to offer Pardon to Rebels and Rioters, upon Condition of laying down their Arms, &c. *is Granted*, but with this just Exception, at the same time, (*viz.*) That this was generally done when the Insurrection was formidable, the Government Unfix'd, the King or Queen Young, or attended with Circumstances which rendered their Case dangerous, and that more was

to be apprehended than appeared. I might fill this Tract with Examples of this kind; I'll name but a few in the Reign of *Edward VI*, a young Man, I may say, an Infant Prince, the great Work of the Reformation just upon his Hands, Popery powerful and threatening, he had two Insurrections upon his Hands almost together, (*viz.*) in *Devonshire*, and in *Norfolk*; (both which I mentioned before) and a third in *Yorkshire*: The first so outrageous and so strong, as to be able to possess all the West of that County, and of *Cornwall*, and to lay Siege to *Exeter*, the Capital City of that Part of *England*. The other at *Normich*, where the Rebels were Masters of the whole Country, had beaten the King's Troops, and taken the City of *Normich* Sword in Hand, and were increas'd to be 50000 strong. Here it was, Prudence requir'd to use all possible Means to bring the abused, enraged Multitude to Reason, and to perswade them, by all gentle Methods, to return to their Duty: And therefore, to both these the King's Pardon was Tender'd; tho' by the Way, it was ineffectual to both, till they were first defeated in part by the Power of the Royal Army; the first under the Command of the Lord *Grey*; and the latter under the Command of the Earl of *Warwick*.

I make good this, (*viz.*) That these Pardons were not wont to be offer'd, but when the Rebellions were formidable, and the



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*Scotland, or of the Duke of Monmouth in England.*

But to come to the Case in hand : I find that by the modern Usage of the present Government, such Measures have been taken, such merciful Treatment has been shewn all those who have timely forsaken the Rebels, that it has been fully equivalent to a Proclamation of Pardon, for that not a Man has been prosecuted, if he did but desert them, nay, tho' almost to the time of Action.

So that in Effect, any of the Rebels, who thought fit to quit the Rebellion, however late, even just before the Defeat, was as sure of his Life as he could have been, had there been a publick Proclamation, or Offer of Pardon. Of this, besides the Examples of private Persons, of whom it may not be proper to speak, there are Examples of great Numbers, particularly, Five hundred of the *Highlanders*, who cross'd the *Fyrth* to joyn the *Preston Party*, and disliking their Measures only, *not disliking the Rebellion*, (Mark that) I say, disliking *only* their Measures, left them at *Howick Moor*, when the rest resolv'd to march for *England*. Those were made Prisoners, or rather surrender'd, because it was impossible for them to join their Friends ; yet after having been detain'd only so long as was necessary, to prevent their joyning other Rebels, they were all dismiss'd without any Prosecution, and long before

before the General Act of Grace; and in the mean time, were subfisted at the publick Charge.

It being then the receiv'd Custom, That all that will withdraw from the Rebellion they are imbarck'd in, fhall be receiv'd and pardoned; the Ceremony of offering Pardon with Sound of Drum and Trumpet at the Head of the Troops is perfectly needless, fo far as it relates to the Question in hand: Neither is there fo much Clemency in a Tender of Pardon prefcrib'd to a Day, and to a formal Condition of quitting the Rebellion, in fuch and fuch a manner, as there is in a general Difpofition of the Prince to Pardon, ftanding with an open Hand to receive every returning Penitent, while he ftands with a drawn Sword in the other hand to correct, and able to conquer thofe who are obftinate in their Rebellion: So that in the Tender of Mercy to Rebels, the prefent Method exceedingly out-does that of a Proclamation; for here are no Conditions made, no Time limited, but even to the laft Gasp, the bare Heat of Action excepted, he that will quit the Cause was fure to be accepted. This is evidenced, by the omitting to enquire after thofe that efcap'd, even to the very laft Day of the Action at *Prefton*, many of whom are fecure at their own Dwellings, and were fo before the Act of Grace, as if they had never been concerned in it.

In all this, it muft be allow'd, that the

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Clemency of King George has not only Equalld, but Exceeded that of any of the Kings and Queens his Predecessors; and the ancient Custom of publishing Pardon to Rebels, &c. is far out-done, by the generous receiving, and merciful pardoning all that please to bethink themselves, and quit the Rebellion they were engag'd in, even without limiting them to a Day.

Nay, we find Abundance of those who were actually taken in Rebellion, in Arms, nay, in Battle, and brought up to London, or Carlisle, against whom, no special and particular Evidence of their *Notoriety*, their warmth in Action, and in promoting, &c. the bloody Work they were engag'd in, have been dismiss'd without a Tryal; and this has been done with a peculiar kind of Advantage to their Characters, (*viz.*) that they have been dismiss'd, as if for Want of Evidence, no body appearing against them. Not that *had there been a Desire in the Government, to prompt their Prosecution*, there could have wanted Evidence to Convict them; or that it should be difficult to prove those Men concerned in the Rebellion, who were taken Prisoners in the very Action of Fighting against the King's Army; no one can be so weak as to suggest such a thing. But the Mercy of the Government has been eminent, imitating that Blessed Description of Divine Clemency, (*viz.*) *Not desiring the Death of a Sinner, but rather that he should*

re-

*return, &c.* How many have thus been acquitted, and have saved thereby their Life and Estate? And where is there an Example of a Clemency like this, in any of the Kings and Queens of this Nation till now?

It has been complain'd of, as a Defect of Clemency in the Disposition of the Prince, That His Majesty did not offer a General Act of Grace at his first coming to the Crown; which (say those People) would have settled the Minds of the People early, and engag'd them to the Person of the King, as a Prince worthy of their Affection, and capable of winning Mankind by the Force of his Clemency, to Love, as well as to Obey him: And this they alledge the Example of former Princes to enforce it, and to argue it to be Customary, as well as Necessary.

Now, not to trouble our Reader with opposing to this the Example of many more Princes, who have found it convenient not to grant such Acts of Grace at the beginning of their Reign, or at least to defer them longer than King George has done, as King James, King Charles the First, Queen Elizabeth, and others; I say, not to insist upon this, We come to consider the Circumstances of the present time; the Rebellion against King George has been aggravated with such Circumstances, as few have been before it; and therefore, it is not just to expect the same Exercise of Clemency, and in the same De-

gree, as in other Cases, where the Offence has been less flagrant, and where the Persons concern'd have not been equally Objects of the Royal Mercy. And yet, if as before, as high Degrees of Mercy have been express'd in this Reign, then will it follow, that His Majesty has been much more merciful than any of his most merciful Predecessors

To look back to the beginning of His Majesty's Reign, to say nothing of the evident Disaffection which appear'd in the latter end of the precedent Reign, there appeared a profess'd Aversion to His Majesty's Succession, and that of His whole Family, in a numerous Party in the Nation; even before the King arriv'd, the Confidence they had of their own Numbers, and of Foreign Assistance, (the old *French* King being then living) made them open and insolent. The King was not unappriz'd of this, tho' His Majesty was not yet Landed; and Measures were taken to prevent whatever that Party might at that time, have been audacious enough to attempt.

And this, by the way, was an evident Proof of the Necessity there was, at the very first Step the King took upon his Landing, That His Majesty should Countenance and Distinguish his faithful Friends, and Discourage, and shake his Hands off those, who, he was well assur'd, were his secret Enemies, and were the Support of the Faction that stood out against him.

Nor



Nor is it to be wondred at, that the Party so displac'd at the Beginning of His Majesty's Reign, were so exceedingly disturb'd at those Measures, and cry out so loudly against them, as the Source of those desperate Steps which they took afterwards, seeing all the secret Contrivances which they had form'd, to make the Project a Matter of Faction at Court, rather than a Matter of down right Battle in the Field, were defeated in that very one Politick Step. For now their whole Party was dejected, and all their Expectations at Court lost; nothing but Despair was in their View; the King knew them; the Nation look'd upon them as mark'd Men; they had nothing to support them but the Rage of their Party, and no Resource but Rebellion: And to this they immediately had Recourse; for it is not difficult to Trace the first Councils of the Rebellion, as high as the very first Hours of the King's Landing.

To say, That if the King had not distinguish'd them, by his Contempt of their Service, the very first Night of His Majesty's Landing, there had been no Rebellion; is to say no more than this, That had not that been done, they had not broke out till their Treasons had been ripe, and their Party strengthen'd; and that they would have done it, with ten fold the Advantages to their Cause.

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To say, The King might have made them all his Friends, and might have secured them to his Interest, is to say, His Majesty's Intelligence of the *English* Affairs was very bad; that he did not know the Men; had no Notion of their Temper, Interest, and Design; which it was apparent by the Consequence, was a gross Mistake.

To say, They would have been faithful Servants, was to say, that it was possible for the *Ethiopian* to change his Skin, and the *Leopard* his Spots; and that a Party of Men, who have always been implacable Enemies to *English* Liberty, were to be chang'd, upon the meer negative Obligation of not being turn'd out; the contrary of which is to be suggested, from the whole Tenour of their Conduct for some Ages past. But this is a Digression.

I return to the Subject I was upon, (*viz.*) Of the Clemency of the King: As the Conduct of these Men made their being dismiss'd from Publick Posts and Employments in the Government, absolutely necessary to the Publick Safety; so the Insolence of their Conduct, their undutiful, disobliging Behaviour upon their being so dismiss'd, made the Thought of that Clemency, which His Majesty had at first resolv'd to treat them with, perfectly irrational, and the thing it self impracticable.

It was absolutely necessary to restrain the Hand of Mercy for a while, till it might be  
seen

seen to what length these Men would go, and what Designs they had form'd. His Majesty was too well inform'd of their Conduct, not to see they had laid Schemes for disturbing his Peace, and for insulting his Government ; and to have offer'd an Act of Oblivion at that time, had been but to encourage their Treasons, not engage their Loyalty. The Event soon made it appear, that this was the true State of the Affair at that time, and therefore, we do not find them insist much upon the matter of a more easy Act of Grace.

But now we come to speak of the Act it self, and the Objections to it : And here it is easy to make it appear, that while they, on one hand, complain of the Limitations of the General Pardon, and the Want of Clemency in the Prince : I say, it is easy to make it appear, that the Persons to whom the Act of Grace is apply'd, were always, and I doubt still are, so far from deserving the Grace they want, that it scarce may be said, that they were proper Objects of the Prince's Clemency. And this I shall make appear in few Words :

We hear much from their Advocates on this Subject, how eminent a Part of the Perfection of Majesty, this Attribute of Clemency and Mercy is ; how it illustrates the Crown ; how it renders the Prince truly *God-like* ; that Kings like *Jehovah*, should pity the miseries of their offending Subjects ; and should shew themselves truly Fathers of  
their



their Country, by sparing their *Rebellious Children*; that it was below the Majesty of a glorious Prince, to trample upon the miserable, and to delight in the Extremities of Justice, tho' provok'd to it: Such have been their Discourses, and great Flourishes we have had upon these Heads.

But I cannot refrain here to put them in mind, of what I had once before an Opportunity to speak in the Case of the same People, and it is this: I joyn Issue with them upon the foot of their own Argument, and grant, that Kings should imitate the Great Sovereign of the Universe, and incline to *Mercy*, as the Almighty Creator has set them a most glorious Example. But I must add, what perhaps may seem a bold Expression, till it is examin'd into, (*viz.*) That should King *George* pardon his Rebels, on no other Terms than God Almighty pardons his, the late Act of Grace must have had more Exceptions, and very few of the late Rebellion would be included. In a Word, King *George* is so far from coming short *in his Mercy*, of the Pattern of his Ancestors, that his Mercy is extended even beyond that of God himself.

Nor let any Man start at the Novelty, the Explanation is brief; let him look upon the whole Tenour of the Gospel of Peace, there is not one Promise of Pardon to any but the penitent, returning Sinner; the great Act of Grace, published to Mankind upon the  
coming

coming of our Blessed Saviour into the World, has this general Exception to it, which King George's Act of Grace has not, (*viz.*) That all those who do not Repent, are Excepted; not one impenitent Sinner comes within the Act. But should King George except all the Gentlemen concerned in the late Rebellion, that do not sincerely and unfeignedly repent of it, the Parson of — might well lift up his Hands at the reading of it, and say, *Who then can be Sav'd?*

And here, before I enter into the Question whether they are Penitent or no, I must crave leave to distinguish between the several sorts of Penitence required in such Cases, and particularly, between Repenting of the Crime, and Repenting of their Misfortunes attending the Crime. It is not to be doubted, that many of them have repented, as they have perhaps great Cause, that they have brought themselves and their Families to ruin; as the Thief, who when he was ask'd, if he was not sorry that he had committed so great a Piece of Villany? Answer'd sullenly, *That he was sorry to be Hanged.* But as this is not that Repentance which God requires, so neither is it a Repentance that answers the End of the King's Clemency; but here the Royal Clemency is extraordinary, that it is extended to those who are not at all convinc'd of the Crime, only being crush'd by the Punishment, desire Mercy, that they may reserve themselves to abuse it.

I would not be Uncharitable; but any Man that is as well acquainted with the Persons and Temper of these Men and has look'd narrowly into their Conduct, both before the Act of Grace, and since, may easily see, that more are Pardoned than are Reform'd: Nay, that many of these who are so Pardoned, reserve the Rancour of their Party, and of their Disposition, as much as ever, and would be as willing still to Rebel again, as they were before, tho' perhaps the narrow Escape they have had in the first Adventure, how near they were to the Gallows, and with what Difficulty they have come off, may make them act with more Caution and Prudence than they did before. But as to their Disaffection, it cannot be said to be much abated.

Now, if King George has held out his Mercy to a sort of impenitent Rebels, who are only Beaten, not Chang'd; Conquer'd, not Reform'd: If he Pardons obstinate Rebels, even while they are in their Rebellion; if he Pardons without Repentance; he not only acts in a Sphere beyond his Ancestors, but even in a manner which God himself has not set him an Example.

And were I to say nothing else, the very undervaluing the Mercy which they receive, is an Evidence, that they neither desire it, or have a due Sense of it; that 'tis ill bestow'd, and that they want nothing but an Occasion to make an ungrateful use of it.

What



What indeed can be a greater Testimony of their abusing the Mercy shewn them, than the open Endeavours to undervalue it; is, as if they desired the Obligation of it should appear less than it is, lest their Ingratitude should appear the greater, and render them odious even to their own Friends.

How unjust is their Method also, as well as their Design, comparing the Lenity of the present Reigh with that of former Reigns, in order to lessen and depreciate the Grant, in which however, little but the Folly and Madness of their Project appears; on the contrary, were they just in their Enquiry, they would, as I have said, compare not only the Persons forgiving, but the Persons forgiven, of which the few Hints which I have given, tho' much more might be said, are sufficient to prove, that they are not to be match'd, for their unhumbl'd, envenom'd Rancour; the continued Rage of their Disposition, and their unrepenting Temper under the Mercy they receive; a Temper, that rather challenges Mercy as a Debt, than receives it as a Grace; and thus declare King *George* must be something more than Man if he forgives them, or something so much less than a King as not to know them.

But since they are for comparing the Mercy and Clemency of King *George*, with that of former Kings, why do they not bring in their merciful King *James* into the Account, and comparing the Rebellions of former  
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Reigns with the Rebellions in this ; take an Account of the cruel Executions, the merciless Treatment of the poor Victims in the Affair of the Duke of *Monmouth* ; let them enquire into the Numbers taken in the Pursuit, and Hang'd up Naked in the Field ; the wounded Men immediately Hang'd in the Field for sport, for Cure of their Wounds ; Two Hundred and Sixteen Hang'd afterwards in cold Blood, and in Forms of Law. In a word, Let them tell us what Mercy was shown to any that fell into their Hands, except only such, whose Pardon was purchas'd by immense Sums of Money, given to Favourites, and Sub-Favourites, at second, third, and fourth Hand ; till many Men that had fled, chose to remain abroad, rather than give for a precarious Life more than it was worth, and starve their Wives and Children for Liberty to come home.

Has His present Majesty shew'd himself Cruel and Inexorable like these ? Has there been a *Jefferies* in our Judges, or a *Kirk* among our Soldiers ? Surely these Gentlemen have not heard what Havock was made in these Days, or have forgotten it ; when the miserable had no Compassion shown them, but were refused Quarter in the Field, were Insulted and Taunted at the Bar, and found neither Mercy or Justice, many being Executed without regard to the most just Defence, and clear acquitting themselves of the Fact,

Fact, and who never had been from their own Houses.

On the contrary, let them examine the Prisoners who have been Tryed; have they been allowed all the fair and full Liberty for their Defence, or have they not? Have they been Taunted by the Judges, their Witnesses Brow-beaten, and themselves run down by Clamour and Noise? Or, have they been indulg'd in every thing that might have been for their Advantage, in order to their Deliverance? Let the Prisoners speak for themselves; let us send our Complainers to *Carlisle*, and enquire whether the Gentlemen there did not acknowledge, That it was their Mercy they were brought out of their own Country to be Try'd; That they were used with a generous Compassion, and with all possible Humanity by the whole Court; On the contrary, have not some of those that have been brought to Tryal, been acquitted by the manifest Partiality of Jury-men, whether by Bribery, or Disaffection, is not the Question? And have not the Prisoners at the Bar treated the Court, and the Government, with the utmost Insult, Contempt, and Indecency; as in the Case of *Francia the Jew*, and others? And yet the Judges have not been moved to do any thing by way of Resentment.

In a Word, Have not all our Proceedings at Law, been carried on with that Temper, Moderation, and Compassion, that the Government



vernment seem'd all along much better pleas'd, that any Gentleman could fairly acquit himself, than that they should be oblig'd to Condemn.

After Guilt fairly fix'd, and the Prisoners, by the necessary Consequences of Verdict, Sentenc'd to Die, How few have been Executed, *even of those that were Condemn'd ?* How much fewer than ever was the Case in a like Rebellion ? Let the Number stand upon Record, and let Posterity judge of the Clemency of King George, they will soon condemn the Party for the most Ungrateful of Men ; and declare, That they were not worthy of the Mercy they receiv'd : They will not fail to grant, that there is no Rule for comparing former Times with these ; and will own, That King George has Extended more Patience, Clemency, and Compassion to the worst of Rebels, than any Monarch of Great-Britain that ever went before Him.

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FINIS.